

Patients are frequently placed in a hospital to insure that drugs are taken as prescribed. Applicants' medicine administration method provides sufficient flexibility to permit some patients to live and work outside of a hospital while on a regimen that would currently require a hospital stay. The method also permits individuals who take a number of different medications to remain active and in the work force.

Claims 1, 2 and 4-6 were rejected under 35 U.S.C.103(a) as being unpatentable over Newland in view of Sekura et al and further in view of Barker. Applicants respectfully traverses the rejection.

Newland disclosed a medication storage and reminder device with a programmable microprocessor. The device includes a clock and calendar. Viewable or audible signal reminders are provided to announce the proper timing of taking the next-in-order medication. The device unlocks cubicle lids 22 at selected times each day. There are four cubicle lids 22 for each day. Cubicles 20 are provided for seven days. One cubicle 20 holds all the pills to be taken during the first period on Sunday for example. The lid 22 for each cubicle 20 bears viewable indicia advising of the proper sequence and timing of opening each lid, and the time period for taking each medication contained in each of the corresponding cubicles, e.g. "a.m.", "noon", "p.m.", and "bed." (column 3, line 66 through Column 4, line 6) A tone or light and/or voice reminder indicates that a lid 22 is unlocked. A green light indicates that the medication in a cubicle is taken on time. A yellow light indicates each medication is taken late. A red light indicates "too late." If "too late," the lid 22 is locked. A new tray 18 with cubicles 20 with medicines is inserted into the housing weekly. The weekly schedule will continue indefinitely as long as new trays are inserted. If a new medication is to be added, it will be up to the person filling the trays 18 to do so. It is

unclear what to do if one medication in a cubicle 20 is to be taken before a meal and another medication in the same cubicle is to be taken after a meal. Entry of a voice message to indicate another time for taking pill number 2 may be possible but is not suggested in the specification. Newland discloses jack 30 for transmitting compliance data to a computer for storage. The stored data would apparently indicate the month and calendar date when a pill was not taken. The information used to open a specific lid 22 is the day of the week and the hour and minutes of the day. Only four lids 22 are available to be opened each day. Newland appears to suggest that all the pills in one cubicle 20 should be taken soon after a lid 22 closing the cubicle 20 is unlocked. If the pills are not taken soon after the lid 22 is unlocked, there will be an indication that medication was taken late or the lid may be locked again.

Newland does not require entry of a code to obtain access to a recording function as set forth in claims 1 and 5. Newland does not enter a month, date and time of day schedule in the remainder device for taking a medication as set forth in claim 1. Newland does not enter a month, date and time of day schedule in the remainder device for the times in which the person is to listen to the recorded message as set forth in claim 5. Newland's lids 22 are unlocked based on one of four times of day and the day of the week as stated above.

Sekura et al disclosed a prescription compliance device and method of using in which the programming step can be locked and the user enters a code to lock or unlock the programming feature. (column 9, lines 55-65)

Sekura et al does not enter a month or year for a time for taking a pill as set forth in Applicants' claim 1 or for altering a person to listen to a recorded message as

set forth in claim 5.

Barker discloses a medical information appliance that is the size of a watch. (column 2, lines 29-30) The device displays medical information and medical events. (column 3, lines 4-13) An array of pixels scroll across the display row to present medical information and events on a device the size of a watch. (column 2, lines 26-31).

The Baker device provides space for twelve daily events. Twelve daily alarms are available. (column 5, line 46) There is one alarm for each event. A total of 36 characters may be recorded for a medical event. (column 5, lines 48-51) If multiple medications are taken at a given time, the medications can be abbreviated so they all may be listed within 36 characters. (column 5, lines 51-53) When the information entered into the device is correct, the mode button is pressed to move to the time of each medical event. The forward button 24 and the reverse button 26 are again used to select the minutes. (column 6, lines 8-12) Hours and days are not entered. The hour is not required presumably because the hour for each of the twelve daily events is predetermined. The system moves from event to event in a fixed order. The alarms are activated based on the twelve daily alarms and the time inserted into the event period of 36 characters.

The Barker device also functions as a watch. The paragraph starting in column 6 on line 29 relates to setting the watch portion of the device. The watch portion can be used when the reminder functions are disabled as well as when the reminder functions are in use. For the watch mode, the minutes, seconds, day of the week, month and day of the month are entered or corrected as necessary. (column 6, lines 34-38) This mode is shown in Figure 2 and includes years. The year must

also be corrected at times for Figure 2 to be correct.

Barker repeats day one on day 2 unless the entries for the available twelve alarms are changed.

Barker does not use the day of the week or the date of the month to activate one of the twelve daily alarms, as required by Applicants' claim 1. Barker does not enter a month, date and time of the day schedule in the remainder device for the times in which the person is to listen to the recorded message, as set forth in Applicants' claim 5. In view of the above, claims 1 and 5 are allowable over Newland in view of Secura et al and further in view of Baker. Allowance of claims 1 and 5 is therefore respectfully requested.

Claims 2-4 are dependent upon claim 1 and are allowable together with claim 1 for reasons set forth above.

Claim 6 is dependent upon claim 5 and is allowable together with claim 5 for reasons set forth above.

This application is allowable for reasons set forth above. Reconsideration and allowance is therefore respectfully requested.

Respectfully submitted,

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